

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

PROFESSOR SUSAN BARROWS,	:	CIVIL NO: 1:12-CV-02077
	:	
Plaintiff,	:	
	:	(Judge Conner)
v.	:	
	:	
HARRISBURG UNIVERSITY OF	:	
SCIENCE AND TECHNOLOGY,	:	(Magistrate Judge Schwab)
	:	
Defendant.	:	

REPORT AND RECOMMENDATION

On October 16, 2012, the plaintiff, Susan Barrows (“Barrows”) initiated this civil rights matter under 42 U.S.C. § 1983 against her former employer, Harrisburg University of Science and Technology (the “University”), for alleged violations of her First Amendment rights to free speech and Fourteenth Amendment procedural due process rights. *Doc. 1.* Additionally, Barrows raised a state law claim for breach of contract. *Id.* After being served with the complaint, however, the University filed a motion to dismiss for failure to state a claim. *Doc. 5.* Subsequently, the Court referred the motion to the undersigned on April 11, 2013. *Doc. 11.*

Once the motion was ripe for review, the undersigned reviewed it and recommended that Barrow’s complaint be dismissed. *Doc. 16.* Neither party objected to the undersigned’s report and recommendation. Thereafter, on July 10,

2013, the Court adopted the report and recommendation, gave Barrows 20 days to file an amended complaint, and remanded the matter to the undersigned for further proceedings. *Doc. 17*. The deadline to amend her complaint has since expired. As a result this case should be dismissed with prejudice and the case file closed.

Accordingly, **IT IS RECOMMENDED** that Barrow's case be **DISMISSED** with prejudice and the case file **CLOSED**.

The Parties are further placed on notice that pursuant to Local Rule 72.3:

Any party may object to a magistrate judge's proposed findings, recommendations or report addressing a motion or matter described in 28 U.S.C. § 636 (b)(1)(B) or making a recommendation for the disposition of a prisoner case or a habeas corpus petition within fourteen (14) days after being served with a copy thereof. Such party shall file with the clerk of court, and serve on the magistrate judge and all parties, written objections which shall specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for such objections. The briefing requirements set forth in Local Rule 72.2 shall apply. A judge shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made and may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The judge, however, need conduct a new hearing only in his or her discretion or where required by law, and may consider the record developed before the magistrate judge, making his or her own determination on the basis of that record. The judge may also receive further evidence, recall witnesses or recommit the matter to the magistrate judge with instructions.

Failure to file timely objections to the foregoing Report and Recommendation may constitute a waiver of any appellate rights.

Submitted this 1st day of August, 2013.

S/ Susan E. Schwab

Susan E. Schwab

United States Magistrate Judge